



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.12939 of 2017

Rajammal

..Petitioner

Vs.

1.State represented by

The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.

2.Home Secretary,

Government of Tamil Nadu,
Secretariat, Chennai.

3.The Secretary,

Adi Dravidar & Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.

4.The District Collector,

Collectedtorate complex,
Virudhunagar,
Virudhunagar District.

5.District Adi Dravidar and Tribal Welfare Officer,

Virudhunagar, Virudhunagar District.

6.Principal Sessions Judge,

PCR Court, Virudhunagar District.
Srivilliputhur.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent no.4, to consider the petitioner's representation dated 03.06.2017, requesting to award additional relief of monthly stipend and dearness allowance in line with the stipulated Act and State Government norms with immediate effect, and to consequently direct the trial court to expedite the trial in Spl.S.C.No.54/2004 pending on the file of PCR Court, Virudhunagar District at Srivilliputhur.

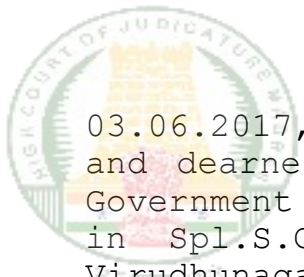
For Petitioner : Ms.S.E.Monica Vincent

For Respondents : Mr.N.S.Karthikeyan

Additional Government Pleader

ORDER

This writ petition is for a Writ of Mandamus directing the fourth respondent to consider the petitioner's representation dated



03.06.2017, requesting to award additional relief of monthly stipend and dearness allowance in line with the stipulated Act and State Government norms and to direct the trial court to expedite the trial in Spl.S.C.No.54 of 2004 pending on the file of PCR Court, Virudhunagar District at Srivilliputhur.

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2. It is an unfortunate case where the petitioner's daughter aged 18 years was the victim of brutal gang rape and murder. Though the case was registered in Crime No.43 of 2003 under Sections 376 and 302 of I.P.C. on 24.01.2003, it is stated that only after the interference of the petitioner's family, the F.I.R. was altered to include Section 3(1)(X) of SC/ST Act, 1989. However, the case is pending before the Special Court in S.C.No.54 of 2004 for more than 13 years. The petitioner submitted a representation to the fourth respondent viz., the District Collector, Virudhunagar District requesting to award additional relief of monthly stipend and dearness allowance in line with the provisions of the Act and the norms of State Government. Since there was no response, the petitioner has approached this Court with the above writ petition.

3. The learned Additional Government Pleader on instructions submitted that the fifth respondent has already collected all the particulars and that he will be in a position to pass an order, on the representation of the petitioner, on or before 31.08.2017.

4. As regards the disposal of the long pending criminal case in Spl.S.C.No.54 of 2004 on the file of the PCR Court, Virudhunagar District, the respondents have no valid reasons to defend the petitioner seeking speedy disposal.

5. In such circumstances, this court is inclined to pass the following direction:

The fourth respondent is directed to consider the representation of the petitioner, dated 03.06.2017 and to grant appropriate relief as contemplated under the Act and the norms on or before 31.08.2017. Similarly, the learned Principal Sessions Judge (PCR Court) Virudhunagar at Srivilliputhur is also directed to expedite the trial in Special S.C.No.54 of 2004 and dispose of the same within a period of three months from the date of receipt of a copy of this order.

6. This writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1.The Chief Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.



2.Home Secretary,
Government of Tamil Nadu,
Secretariat, Chennai.

3.The Secretary,
Adi Dravidar & Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.

4.The District Collector,
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Virudhunagar,
Virudhunagar District.

5.District Adi Dravidar and Tribal Welfare Officer,
Virudhunagar, Virudhunagar District.

6.Principal Sessions Judge,
PCR Court, Virudhunagar District.
Srivilliputhur.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.72356

+1cc to Mr.MONICA VINCENT Advocate in SR. No.71898

DAS/AKV

JS/KP/SAR.1/22.08.2017/3P-9C

W.P. (MD) No.12939 of 2017
09.08.2017